SHIPMAN

Series 1000
Community/Board

Operation

POLICY REGARDING POSSESSION OF DEADLY WEAPONS OR FIREARMS

I. Definitions:

A. **Deadly Weapon** means "any weapon, whether loaded or unloaded, from which a shot may be discharged, or a switchblade knife, gravity knife, billy, blackjack, bludgeon, or metal knuckles." Conn. Gen. Stat. § 53a-3 (6).

B. **Firearm** means "any sawed-off shotgun, machine gun, rifle, shotgun, pistol, revolver or other weapon, whether loaded or unloaded from which a shot may be discharged." Conn. Gen. Stat. § 53a-3 (19).

C. **Peace Officer** means “a member of the Division of State Police within the Department of Emergency Services and Public Protection or an organized local police department, a chief inspector or inspector in the Division of Criminal Justice, a state marshal while exercising authority granted under any provision of the general statutes, a judicial marshal in the performance of the duties of a judicial marshal, a conservation officer or special conservation officer, as defined in section 26-5, a constable who performs criminal law enforcement duties, a special policeman appointed under section 29-18, 29-18a or 29-19, an adult probation officer, an official of the Department of Correction authorized by the Commissioner of Correction to make arrests in a correctional institution or facility, any investigator in the investigations unit of the office of the State Treasurer, an inspector of motor vehicles in the Department of Motor Vehicles, who is certified under the provisions of sections 7-294a to 7-294e, inclusive, a United States marshal or deputy marshal, any special agent of the federal government authorized to enforce the provisions of Title 21 of the United States Code, or a member of a law enforcement unit of the Mashantucket Pequot Tribe or the Mohegan Tribe of Indians of Connecticut created and governed by a memorandum of agreement under section 47-65c

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who is certified as a police officer by the Police Officer Standards and Training Council pursuant to sections 7-294a to 7-294e, inclusive." Conn. Gen. Stat. § 53a-3 (9).

D. **Real Property** means the land and all temporary and permanent structures comprising the district's elementary and secondary schools, and administrative office buildings. Real property includes, but is not limited to, the following: classrooms, hallways, storage facilities, theatres, gymnasiums, fields and parking lots.

E. **School-Sponsored Activity** means "any activity sponsored, recognized or authorized by a board of education and includes activities conducted on or off school property." Conn. Gen. Stat. § 10-233a(h).

II. Prohibition of Deadly Weapons and Firearms

In accordance with Conn. Gen. Stat. § 29-28(e) and § 53a-217b, the possession and/or use of a deadly weapon or firearm on the real property of any school or administrative office building in this district, on school transportation, or at a school-sponsored activity, is prohibited, even if the person possessing the deadly weapon or firearm has a permit for such item.

III. Peace Officer Exception

A peace officer engaged in the performance of his or her official duties who is in lawful possession of a deadly weapon or firearm may bring such item on the real property of any school or administrative office building in this district, on school transportation, or to a school-sponsored activity.

IV. Other Exceptions

Persons in lawful possession of a deadly weapon or firearm may possess such item on the real property of any school or administrative office building in this district, on school transportation, or to a school-sponsored activity, if:

A. The person brings the deadly weapon or firearm on the real property of any school or administrative office building, on school transportation, or to a school-sponsored activity for use in a program approved by school officials. In such case, the person must give school officials notice of his/her intention to bring such

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item, and the person must receive prior written permission from school officials.

B. The person possesses the deadly weapon or firearm on the real property of any school or administrative office building, on school transportation, or at a school-sponsored activity pursuant to a written agreement with school officials or a written agreement between such person's employer and school officials.

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(Optional Exception: Conn. Gen. Stat. § 53a-217b permits school districts to regulate access to school property by hunters in possession of firearms. School districts concerned with this issue should consider including the following paragraph as part of their policy.)

C. The person possesses the deadly weapon or firearm while crossing school property in order to gain access to public or private lands open to hunting or for other lawful purposes and entry on such school property is permitted by the Board of Education. In the case of a firearm, the person's firearm shall not be loaded.

(Optional Exception: Conn. Gen. Stat. § 10-244a, "An Act Concerning School Safety," permits school districts to hire a sworn member of an organized local police department or a retired police officer to provide school security and to possess a firearm while in the performance of his or her duties. School districts opting to hire such sworn law enforcement or retired law enforcement officers should ensure that their security program meets all of the requirements of Conn. Gen. Stat. § 10-244a and should consider including the following paragraph as part of their policy.)

C. An armed security officer employed by the Board of Education to provide security services pursuant to Conn. Gen. Stat. § 10-244a engaged in the performance of his or her official duties who is in lawful possession of a deadly weapon or firearm may bring such item on the real property of any school or administrative office building in this district, on school transportation, or to a school-sponsored activity.

V. Consequences

A. Unless subject to one of the exceptions listed above, any person who possesses a deadly weapon or firearm on the real property of an elementary or secondary school in this district, or administrative office building, on school transportation, or at a school-sponsored activity, whether or not the person is lawfully permitted to carry such deadly weapon or firearm, will be reported to the local police authorities once school officials become aware of its possession.

B. A student who possesses and/or uses any deadly weapon or firearm on the real property of an elementary or secondary

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school in this district, or administrative office building, on school transportation, or at a school-sponsored activity in violation of this policy shall be disciplined in accordance with Board of Education Student Discipline Policy.

C. The Board of Education reserves the right to forbid anyone caught possessing a deadly weapon or firearm on the real property of its school buildings or administrative office buildings, on school transportation, or at a school-sponsored activity, from using any and all school facilities.

ADOPTED _____
REVISED _____

Legal References:
Connecticut General Statutes § 10-233a
§ 10-244a
§ 29-28(e)
§ 53a-3
§ 53a-217b

Note: Under state law, in order to prohibit all persons from carrying deadly weapons and/or firearms onto school property (including persons who hold a legal permit to carry such weapons elsewhere), a school district must affirmatively pass a policy prohibiting such items. The policy above accomplishes this goal. Districts may legally prohibit other weapons as well, but issues exist regarding 1) a district's practical ability to enforce such prohibitions and 2) the definitions used to describe other types of weapons. If a district chooses to enact a wider prohibition on weapons, it is well advised to consult legal counsel for assistance in drafting a policy containing a wider prohibition.

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